

07-09-02

PTO/SB/30 Revised (5/20/00)

App. for use through xx/xx/xxx OMB 0651-0031

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/352,466
Filing Date	July 13, 1999
First Named Inventor	Virginia C. Broudy
Group / Art Unit	1642
Examiner Name	Helms, L.
Attorney Docket No.	A-195CDDC

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provision of the AIPA. See Changes to Application Examination and Provisional Application Practice Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Commissioner is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No. 01-0519
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) in the amount of \$740.00.
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) in the amount of \$ _____.
- i. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ is enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

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SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

NAME (Print/Type)	Robert B. Winter	Registration No. (Attorney/Agent)	34,458
SIGNATURE		Date:	July 8, 2002

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service (EL360691173US) under 37 C.F.R. 1.10 on the date indicated below and is addressed to: Assistant Commissioner For Patents, Box RCE, Washington, D.C. 20231.

NAME (Print/Type)	
SIGNATURE	
Date:	July 8, 2002

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PATENT APPLICATION

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Broudy et al.

Serial No.: 09/352,466

Group Art Unit No.: 1642

Filed: July 13, 1999

Examiner: Helms, L.

For: Monoclonal Antibodies to Stem Cell Factor Receptors

Docket No.: A-195CDDC

REQUEST FOR CONTINUED EXAMINATION AND AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is in response to the Advisory Action dated May 21, 2002 in which the rejection of Claim 21 was maintained.

Please amend the application as follows:

In the specification:

At page 1, line 1, insert the following: - This application is a continued prosecution application of U.S. Serial No. 09/352,466, filed July 13, 1999, which is a divisional application of U.S. Serial No. 08/255,193, filed June 7, 1994, which is a divisional application of U.S. Serial No. 08/011,078, filed January 29, 1993, which is a continuation application of U.S. Serial No. 07/681,245, filed April 5, 1991.

At page 10, replace the first paragraph with the following:

HMC-1, [Butterfield et al., Leukemia Research 12:345 (1988)]; bladder carcinoma cell lines 5637 (ATCC HTB9), COS (ATCC CRL 1650), BHK (ATCC CCL 10); the gastric carcinoma cell line KATO3 (ATCC HRB103); the small cell carcinoma lines H69 (ATCC HTB 119), H128 (ATCC HTB 120); and the breast carcinoma cell line DU4475 (ATCC HTB 123), which have been deposited with the American Type Culture Collection, 10801 University Boulevard, Manassas, VA 20110-2209. Preferred antigens are the human erythroleukemia cell line OCIM1.

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Printed Name

Signature